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E.O. 12958: N/A
TAGS: [PGOV](#) [KDEM](#) [EG](#)
SUBJECT: EGYPTIAN COURT RULES AGAINST BAHAI'S

REF: CAIRO 6953

11. (SBU) EGYPT'S SUPREME ADMINISTRATIVE COURT RULED ON DECEMBER 16 AGAINST THE BAHAI'S RIGHT TO BE IDENTIFIED ON GOVERNMENT DOCUMENTS (NOTE: EGYPTIAN NATIONAL ID CARDS CURRENTLY ONLY ALLOW FOR CITIZENS TO BE IDENTIFIED AS MEMBERS OF ONE OF THE THREE "HEAVENLY" FAITHS - MUSLIM, JEW, OR CHRISTIAN. END NOTE). HOSSAM BAHGAT (PROTECT) WHOSE ORGANIZATION, THE EGYPTIAN INITIATIVE FOR PERSONAL RIGHTS (EIPR) HAS BEEN SUPPORTING THE BAHAI'S IN THEIR CASE AGAINST THE GOE, NOTED THAT ALTHOUGH THE SUPREME ADMINISTRATIVE COURT'S DECISION CANNOT BE APPEALED, BAHAI'S HAVE BROUGHT ANOTHER CASE TO OBTAIN A FOURTH CATEGORY ("OTHER") ON NATIONAL ID CARDS.

12. (SBU) RESPONDING TO THE SUPREME ADMINISTRATIVE COURT'S RULING, BANI DUGAL, THE PRINCIPAL REPRESENTATIVE OF THE BAHAI INTERNATIONAL COMMUNITY TO THE UNITED NATIONS, ISSUED A STATEMENT: "WE DEPLORE THE COURT'S RULING IN THIS CASE, WHICH VIOLATES AN EXTENSIVE BODY OF INTERNATIONAL LAW ON HUMAN RIGHTS AND RELIGIOUS FREEDOM TO WHICH EGYPT HAS LONG BEEN A PARTY. SINCE THIS WAS THE LAST AVENUE OF APPEAL IN THIS PARTICULAR CASE, THE COURT'S DECISION THREATENS TO MAKE NON-CITIZENS OF AN ENTIRE RELIGIOUS COMMUNITY, SOLELY ON THE BASIS OF RELIGIOUS BELIEF."

13. (SBU) THE GOE HAS SET JANUARY 1, 2007 AS THE DATE BY WHICH ALL CITIZENS SHOULD POSSESS A NEW COMPUTERIZED NATIONAL IDENTITY CARD (AN OBJECTIVE THAT WILL BE DIFFICULT TO MEET, GIVEN THAT A SIGNIFICANT PERCENTAGE OF THE POPULATION STILL DOES NOT HAVE COMPUTERIZED CARDS). THIS MEANS THAT EVEN THOSE BAHAI'S WHO HAVE BEEN IN POSSESSION OF THE OLD, HANDWRITTEN ID CARDS - WHICH GENERALLY LIST "BAHAI" OR "OTHER" IN THE RELIGION CATEGORY - WILL NOW BE WITHOUT VALID IDENTITY DOCUMENTS.

14. (U) SUGGESTED PRESS GUIDANCE ON THIS ISSUE AS FOLLOWS:

EGYPT: BAHAI COURT JUDGMENT

Q: ANY REACTION TO THE DECEMBER 16 RULING BY EGYPT'S SUPREME ADMINISTRATIVE COURT THAT OVERTURNED AN APRIL 4 LOWER COURT RULING WHICH HAD AFFIRMED THE RIGHT OF EGYPTIAN BAHAI'S TO RECEIVE GOVERNMENT IDENTITY CARDS?

A: WE ARE TROUBLED BY THE COURT'S RULING BECAUSE IT PERPETUATES DISCRIMINATION AGAINST EGYPTIAN BAHAI'S BY NOT ALLOWING THEM TO OBTAIN NATIONAL IDENTITY CARDS. WE NOTE THAT THERE IS ANOTHER CASE PENDING WHICH COULD OFFER BAHAI'S SOME RELIEF AND URGE THE EGYPTIAN GOVERNMENT TO DEVISE A SOLUTION TO THIS PROBLEM IN KEEPING WITH THE EGYPTIAN CONSTITUTION AND INTERNATIONAL AGREEMENTS REGARDING FREEDOM OF RELIGION.

-- (IF ASKED) WE HAVE URGED SENIOR EGYPTIAN OFFICIALS TO SEEK

A SOLUTION TO THIS PROBLEM.

BACKGROUND:

AS NOTED IN THE DEPARTMENT'S 2006 RELIGIOUS FREEDOM COUNTRY REPORT ON EGYPT, THE EGYPTIAN GOVERNMENT APPEALED AN APRIL 4, 2006 DECISION BY THE ADMINISTRATIVE COURT WHICH SUPPORTED THE RIGHT OF BAHAI CITIZENS TO RECEIVE ID CARDS AND BIRTH CERTIFICATES WITH RELIGION NOTED ON THE DOCUMENTS. LAW 263 OF 1960, STILL IN FORCE, BANS BAHAI INSTITUTIONS AND COMMUNITY ACTIVITIES, AND STRIPPED BAHAI'S OF LEGAL RECOGNITION. THE NATIONAL IDENTITY CARDS CURRENTLY REQUIRE ALL CITIZENS TO BE CATEGORIZED AS MUSLIMS, CHRISTIANS OR JEWS. BAHAI AND OTHER RELIGIOUS GROUPS THAT ARE NOT ASSOCIATED WITH ANY OF THE THREE "HEAVENLY" RELIGIONS HAVE BEEN COMPELLED TO EITHER MISREPRESENT THEMSELVES OR GO WITHOUT VALID IDENTITY DOCUMENTS.

THOSE WITHOUT VALID IDENTITY CARDS ENCOUNTER DIFFICULTIES REGISTERING THEIR CHILDREN IN SCHOOL, OPENING BANK ACCOUNTS, AND ESTABLISHING BUSINESSES. BAHAI'S AT AGE SIXTEEN FACE ADDITIONAL PROBLEMS UNDER LAW 143/1994, WHICH MAKES IT MANDATORY FOR ALL CITIZENS TO OBTAIN A NEW IDENTIFICATION CARD FEATURING A NEW NATIONAL IDENTIFICATION NUMBER. POLICE, OFTEN ON PUBLIC BUSES, CONDUCT RANDOM INSPECTIONS OF IDENTITY PAPERS, AND THOSE FOUND WITHOUT THEIR IDENTITY CARD ARE REGULARLY DETAINED UNTIL THE DOCUMENT IS PROVIDED TO THE POLICE. IN MAY 2004, THE GOVERNMENT CONFISCATED THE IDENTITY CARDS OF TWO BAHAI'S WHO WERE APPLYING FOR PASSPORTS. OFFICIALS TOLD THEM THAT THEY WERE ACTING ON INSTRUCTIONS FROM THE MOI TO CONFISCATE ANY IDENTITY CARDS BELONGING TO BAHAI'S.

JONES